

AUG. 5. 2002 2:14PM  
DIANNE FEINSTEIN  
CALIFORNIA

SENATOR DIANNE FEINSTEIN



ORIGINAL

NO. 849 P. 2

COMMITTEE ON APPROPRIATIONS  
COMMITTEE ON ENERGY AND NATURAL RESOURCES  
COMMITTEE ON THE JUDICIARY  
COMMITTEE ON RULES AND ADMINISTRATION  
SELECT COMMITTEE ON INTELLIGENCE

## United States Senate

WASHINGTON, DC 20510-0504

<http://feinstein.senate.gov>

July 26, 2002

RECEIVED

Honorable Magalle Roma Salas, Secretary  
Federal Communications Commission  
445 12<sup>th</sup> Street, SW  
Room TW-B204  
Washington, D.C. 20554

AUG - 6 2002

FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

RE: Docket # WT 01-108

Dear Secretary Salas:

It has come to my attention that the Federal Communication Commission is considering granting wireless providers relief from Part 22 of the FCC rules requiring that analog cellular service be provided in addition to digital service.

For the past ten years, California has provided vital emergency services to communities through its extensive call box system. Call boxes provide a means of communication between motorists, oftentimes in hazardous situations, and a dispatcher. This service is particularly important in remote, rural and desert areas where stranded motorists may be hundreds of miles from gas and shelter. Approximately 17,000 call boxes are maintained and operated by a network of agencies funded through individual counties. The call box system is a lifeline used by more than 50,000 California motorists per month to report incidents and request assistance.

Currently all California call boxes operate using analog technology. I am greatly concerned that a decision by the FCC to relieve cellular providers from their obligation to provide analog service would render California's call box network useless. Local Service Authority for Freeway Emergency (SAFE) programs would require significant time and financial resources to upgrade the call boxes to digital technology. In Los Angeles County alone, the cost to modify the system is estimated at more than \$7 million.

While there is little doubt that analog technology will eventually be entirely replaced by digital technology, it is important that public safety concerns be addressed as we proceed on this issue. Furthermore, California's SAFE programs have expressed their desire to partner with wireless providers to develop a transition plan agreeable to all parties. Such cooperation would mitigate the financial and technological barriers the SAFE programs are currently facing and reduce the adverse impacts on public safety. I urge you to consider California SAFE's infrastructure and resource constraints and the potentially disastrous public safety implications as you consider your decision to relieve wireless providers from their obligations to provide analog

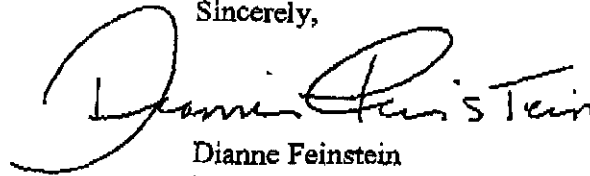
No. of Copies rec'd  
List ABCDE

2

service.

Thank you for your attention to this matter. If I can be of further assistance, please do not hesitate to contact me or have a member of your staff contact Kirsten Garey of my Los Angeles office at (310) 914-7300.

Sincerely,

A handwritten signature in dark ink, appearing to read "Dianne Feinstein". The signature is fluid and cursive, with the first name "Dianne" written in a large, looping script, and the last name "Feinstein" written in a more compact, cursive style.

Dianne Feinstein  
United States Senator



## BOARD OF DIRECTORS

Tony Souter  
Chairman

Tim Neenan  
Vice-Chairman

Arthur C. Brown  
Director

Shirley McCracken  
Director

Michael A. Pulido  
Director

William IV. Davis  
Director

Charles V. Smith  
Director

Michael Ward  
Director

Thomas W. Warren  
Director

Gregory T. Campbell  
Director

Susan Wilshire  
Director

Carole A. Binkman  
Alternate

Cynthia P. Cook  
Alternate

Sam Perry  
Alternate

Andy Olson  
Governor's  
Ex-Officio Member

July 30, 2002

Ms. Magalie Roman Salas, Secretary  
Federal Communications Commission  
Office of the Secretary  
445 12th Street, SW  
Room TW-B204  
Washington, D.C. 20554

RE: Docket #01-108

Dear Ms. Roman Salas:

On behalf of the Orange County Transportation Authority (OCTA), I respectfully request that the Federal Communications Commission (FCC) not eliminate provisions from Code of the Federal Regulations (CFR) 47, Part 22, Rule 933, requiring compatibility between digital and analog cellular radiotelephone services. Relief from this rule will, in effect, allow mobile telephone service providers to cease providing analog services in favor of digital.

In the Notice of Proposed Rulemaking published in FCC 01-153 adopted May 3, 2001, the Commission specifically requested comments as to whether removing the cellular analog compatibility standard could: 1) harm FCC efforts to promote nationwide communications interoperability; 2) provide public interest benefits by making it easier for cellular carriers to migrate to digital technologies; 3) have any impact on the continued provision of service to existing analog cellular customers; 4) impact existing programs and services; and 5) impact people with hearing disabilities, particularly those who depend on text telephone (TTY) devices.

As to the first two issues, we recognize the major advances in the area of digital technology that have both proliferated its use and increased its affordability nationwide. However, we believe the FCC must weigh this against the profound effect that a rapid migration from analog to digital service will have on the operators of the 17,000 freeway and highway call boxes located in California and particularly on persons with hearing disabilities.

OCTA currently operates a system of over 1,300 call boxes installed along 200 miles of freeways, state highways, and toll roads within Orange County. The call boxes all use analog cellular service, provided by AT&T Wireless, and enable over 60,000 drivers annually to report incidents and request assistance.

The call box system was initially installed in Orange County in the 1980's and upgraded in 1999 and again in 2001 to provide full text telephone (TTY) capabilities. The call box system is designed to perform without modification for a period of up to ten years. If, due to this FCC rulemaking, service providers are provided with the

Ms. Magalie Roman Salas, Secretary  
July 30, 2002  
Page 2

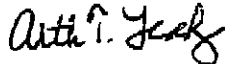
ability to quickly transition to a completely digital system, OCTA estimates that the cost to modify its call box system will be in excess of \$3 million.

More important than the relative newness of our current analog call box system and the cost of upgrading, OCTA is concerned that the technology needed to convert all the call boxes from TTY-analog to TTY-digital has not yet been perfected and, in the case of most carriers, is still in production and testing stages. OCTA is keenly aware of the requirement of Title II of the Americans with Disabilities Act to provide equivalent service and has made a \$3 million investment in its call boxes to ensure its compliance. OCTA would be required to ensure that any transition of the call boxes from an analog to a digital based system remain compliant with Title II.

We believe that relief from the current FCC standard should not be granted with respect to call boxes until the TTY digital technology is perfected and an agreement to mitigate financial, technological, and public service barriers has been developed between the service providers and California call box operators, such as OCTA. Included within this recommendation is the creation of an acceptable transition timeframe that would enable these issues to be resolved. We also understand that nine other California local governments have sent similar letters requesting your consideration of their ex parte letters on this issue.

If you or your staff have any questions regarding this letter, please contact Iain Fairweather at (714) 560-5858.

Sincerely,



Arthur T. Leahy  
Chief Executive Officer

ATL:cmr

c: The Honorable Dianne Feinstein  
The Honorable Barbara Boxer  
Orange County Congressional Delegation  
Linda Chang, Wireless Telecommunications Bureau, FCC  
Blaze Sointo, Deputy Division Chief, Policy Division, FCC  
D'Wanna Perry, Private Wireless & Public Safety Division, FCC

AUG. 5. 2002 2:15PM

SENATOR DIANNE FEINSTEIN

Aug 1 02 14:14 NO. 849 P. U.P. 6

**rtc**

**Riverside County  
Transportation Commission**

3360 University Avenue Suite 100 • Riverside, California 92501  
phone: (909)787-7141 • fax: (909)787-7320 • [www.rtc.org](http://www.rtc.org)

July 30, 2002

Honorable Magalle Roma Salas, Secretary  
Federal Communications Commission  
445 12<sup>th</sup> Street, SW  
Room TW-B204  
Washington, DC 20554

RE: Docket # WT 01-108

Dear Secretary Salas:

This letter is to express our opposition to the proposed rulemaking to obtain relief from Part 22 of the FCC rules requiring cellular radiotelephone service providers to provide analog cellular service. The Riverside County Transportation Commission, in its capacity as the Riverside County Service Authority for Freeway Emergencies (RC SAFE), respectfully requests that the FCC not grant relief to cellular radiotelephone service providers from the aforementioned requirement.

Riverside County SAFE is a local governmental authority responsible for providing motorist aid services within Riverside County, California. RC SAFE currently operates a system of over 1,100 call boxes installed along all freeways and state highways in the county. The call boxes all use analog cellular service, provided by AT&T Wireless, to provide a means of communication between stranded motorists, in a hazardous situation, and a dispatcher. The call box system was initially installed in 1991. The system provides a lifeline that is used by over 40,000 motorists annually to report incidents and request assistance. As a local agency with limited financial capacity and resources, RC SAFE has to diligently manage its public funds. Any relief provided by the FCC regarding the continued provision of analog cellular service will have a direct and immediate negative impact on the ability of RC SAFE to reliably operate the call box system and thereby endanger the motorists of Riverside County.

RC SAFE estimates that the cost to modify the call box system to operate using digital technology to be in excess of \$1.75 million. This cost is approximately 160% of the annual revenue RC SAFE projects to receive this fiscal year.

While RC SAFE is not opposed to the desires of the cellular industry to migrate from an analog to a digital based cellular system; RC SAFE does oppose any rulings or relief that would benefit the cellular radiotelephone service providers and would result in negative financial, safety and service impacts to the public. RC SAFE is one of 21 call box authorities in California which operate over 17,000 call boxes that would be adversely affected if the cellular radiotelephone service providers were to be granted relief from Part 22 of the FCC rules. A decision by the FCC

to relieve cellular providers from their obligation to provide analog service would render California's call box network useless.

Thank you for the opportunity to inform the FCC of our concerns. Please contact Jerry Rivers at (909) 787-7141 if you have any questions or wish to discuss this matter further.

Sincerely,



Eric A. Haley, Executive Director  
Riverside County Transportation Commission

cc: The Honorable Diane Feinstein  
The Honorable Barbara Boxer  
Riverside County Congressional Delegation  
Adnen Basrai, Wireless Telecommunications Bureau, FCC  
Linda Chang, Wireless Telecommunications Bureau, FCC  
Roger Noel, Deputy Division Chief, Wireless Telecommunications Bureau, FCC  
D'Wana Perry, Private Wireless & Public Safety Division, FCC  
Blaze Scinto, Deputy Division Chief, Policy Division, FCC



Capitol Valley Regional Service Authority for Freeways and Expressways  
 3900 S Street, Suite 100 • Sacramento, CA 95816  
 Phone 916.457.2877  
 Fax 916.457.3299  
 TDD 916.737.1718

Post-It Fax Note	7671	Date	7/29	Page	1
To	Byron Lee	From	Martin Tuttle		
Company	LA SAFE	Co.	SACCG		
Phone #		Phone #	(916) 733-3295		
Fax #	(213) 922-2955	Fax #	(916) 457-3299		

July 29, 2002

Ms. Magalie Roman Salas, Secretary  
 Federal Communication Commission  
 Office of the Secretary  
 TW-B204, 445 12th Street SW  
 Washington, D.C. 20554

Re: Docket No. 01-108

Dear Ms. Salas:

The Capitol Valley Regional Service Authority for Freeways and Expressways (SAFE) is charged with the responsibility to install, operate, and maintain motorist-aid call boxes along freeways and state routes in the counties of El Dorado, Sacramento, San Joaquin, Sutter, Yolo, and Yuba. We operate over 1,400 call boxes and 400,000 call-box users have received motorist-aid services since we initiated operations in 1994.

We understand that AT&T Wireless, which provides analog cellular service to the majority of California SAFEs, including ours, has requested in the above-referenced Docket that the FCC eliminate the current requirement to maintain analog service. Since we were notified of this request after the official public comment period had ended, this letter is being sent to you as an "ex parte" document. Our cost to have analog transceivers replaced with digital transceivers could easily exceed \$1,000,000, with no improvement in the extent or quality of the voice communications that are the basis for our motorist aid services. As a medium-sized SAFE program, this cost would be particularly burdensome, and could result in the need to remove some call boxes as a cost-cutting measure.

We hope that the transition from analog to digital cellular availability will be conducted in a manner that allows public service agencies like ours to continue providing cost-effective service to the public. In that regard, we are willing to work with AT&T Wireless and other cellular service providers to develop cooperative plans to mitigate the otherwise unnecessary cost of that transition. We urge the FCC, through its decision on this Docket item, to require AT&T Wireless and other cellular service providers to work with SAFEs to reduce the costs of converting from analog to digital service.

Should your staff have any questions on this matter, please contact Dave Boyer at 916-733-3227.

Sincerely,

MARTIN TUTTLE  
 Executive Director

cc: The Honorable Diane Feinstein  
 The Honorable Barbara Boxer  
 Linda Chang, Wireless Telecommunications Bureau, FCC  
 Blaze Scinto, Deputy Division Chief, Policy Division, FCC  
 D'Wana Perry, Private Wireless & Public Safety Division, FCC

Sacramento • San Joaquin • Sutter • Yolo • Yuba Counties

AUG. 5. 2002 2:16PM

SENATOR DIANNE FEINSTEIN

JUL 02 02

NO. 849 F.O.P. 9



# MTC SAFE



**METROPOLITAN  
TRANSPORTATION  
COMMISSION  
SERVICE AUTHORITY  
FOR FREEWAYS  
AND EXPRESSWAYS**

July 29, 2002

Ms. Magalle Roman Salas, Secretary  
Federal Communication Commission  
Office of the Secretary

TW-B204  
445 12<sup>th</sup> Street SW  
Washington, D.C. 20554

Re: Docket No. 01-108

Dear Ms. Roman Salas:

Post-Net Fax Note	7871	Date	7/31	Page	2
To	Byron Lee	From	Vinda Lee		
Co/Dept.		Co.			
Phone #		Phone #			
Fax #	(213) 923-2955	Fax #			

Steven J. Brown, Chair  
City of Contra Costa County

Steve Koenig, Vice Chair  
Alameda County and Cities

Tom Amador  
City and County of San Francisco

Ralph J. Applegate  
City of Alameda County

Ralph Azzell  
U.S. Department of Housing  
and Urban Development

James T. Beall Jr.  
Santa Clara County

Mark DeSantis  
Contra Costa County

Bill Dault  
Santa Clara County and Cities

Dorcas M. Glendon  
U.S. Department of Transportation

Scott Hagerty  
Alameda County

Ronald H. Hargis  
State Highway Transportation  
and Planning Agency

Barbara Kaufman  
San Francisco Bay Collaborative  
and Development Commission

Sam Lomax  
City of San Mateo County

John McCann  
City of Santa Clara County

Michael D. Novak  
San Mateo County

Joe Rubin  
San Francisco Mayor's Appointee

James P. Spang  
Solano County and Cities

Patricia Turkert  
Commission of Bay Area Governments

Sharon Wright  
San Joaquin County and Cities

Steve Hunsinger  
Fresno County

Alan Hunter  
County Director/Commissioner

Thomas W. McMillan  
County Director/Commissioner

This letter is in response to a proposal before the FCC to modify or eliminate rules requiring cellular service providers to maintain analog cellular service (Docket No. 01-108). The Metropolitan Transportation Commission Service Authority for Freeways and Expressways (MTC SAFE) is a local governmental authority responsible for providing motorist-aid services within the nine counties of the San Francisco Bay Area. MTC SAFE currently operates a system of over 3,400 call boxes installed along most of the region's freeways and state highways. The call boxes use analog cellular service (provided by Verizon Wireless) to enable communication between stranded motorists — many of them in extremely hazardous situations — and dispatchers.

Our call box system was initially installed in 1990, and today it provides a lifeline that is used by over 30,000 motorists annually to report incidents and request assistance. As a local agency with limited financial capacity and resources, MTC SAFE must diligently manage its public funds. Any immediate relief provided to cellular companies by the FCC regarding the continued provision of analog cellular service will have a direct and immediate negative impact on the ability of MTC SAFE to reliably operate the call box system.

We estimate that it would cost about \$2 million to modify the call box system with digital technology. We are also concerned with the impact digital technology may have on special add-on devices that are designed to provide call box access to persons with hearing/speech disabilities. MTC SAFE is keenly aware of the requirement of Title II of the Americans With Disabilities Act (ADA) to provide equivalent service to persons with hearing/speech disabilities, and will be investing a sizable amount of funds to ensure compliance. We are concerned about the current compatibility of digital wireless systems with these add-on devices — a concern also voiced by the FCC.

JOSEPH P. BORT METRO CENTER, 101 EIGHTH STREET, OAKLAND, CA 94607-4700  
Tel: 510.464.7700 • TTY/TDD: 510.464.7769 • Fax: 510.464.7848 • e-mail: info@mtc.ca.gov

MTC SAFE is not opposed to the desires of the cellular industry to migrate from an analog- to a digital-based cellular system, as it can be recognized that this migration is necessary to create innovation and competition. However, MTC SAFE is requesting that the FCC consider establishing a reasonable transition period to ensure a smooth conversion from an analog-based call box system to a digital system -- one that does not cause negative financial, safety and service impacts to the public. Further, MTC SAFE is requesting that the FCC require cellular carriers to work with their customers to develop a reasonable transition plan.

Thank you for the opportunity to inform the FCC of our concerns. Please contact Wes Wells at (510) 817-3220 or Linda Lee at (510) 817-3205 if you should need further information.

Sincerely yours,



Ann Flemer  
Deputy Director, Operations

cc: The Honorable Barbara Boxer  
The Honorable Diane Feinstein  
Bay Area Congressional Delegation  
Roger Noel, Deputy Division Chief, Wireless Telecommunications Bureau, FCC  
Adnan Basrai, Wireless Telecommunications Bureau, FCC  
Linda Chang, Wireless Telecommunications Bureau, FCC  
Blaze Scinto, Deputy Division Chief, Policy Division, FCC  
D'Wana Perry, Private Wireless & Public Safety Division, FCC

AUG. 5. 2002 2:17PM

SENATOR DIANNE FEINSTEIN

JUL 10 02 15 NO. 849 P.O.P. 11



**San Bernardino Associated Governments**

*San Bernardino County Transportation Commission  
San Bernardino County Transportation Authority  
San Bernardino County Congestion Management Agency  
Service Authority for Freeway Emergencies*

472 North Arrowhead Avenue, San Bernardino, California 92401-1421  
(909) 884-8276 FAX: (909) 885-4407

July 3, 2002

Ms. Magalie Roman Salas, Secretary  
Federal Communications Commission  
Office of the Secretary  
445 12<sup>th</sup> Street, SW  
Room TW-B204  
Washington, DC 20554

RE: Docket #01-108

Dear Ms. Roman Salas:

Since the official public comment period regarding the AT&T issue has lapsed, the San Bernardino Service Authority for Freeways and Expressways (SAFE) requests that you review the attached letter as an ex parte document.

We graciously request that the information contained in the attached letter be considered by the FCC at the time that a decision is being rendered.

If you have any questions, please contact me at (909) 884-8276.

Sincerely,

Norman R. King  
Executive Director  
San Bernardino County  
Service Authority for Freeways and Expressways

Attachment - July 2, 2002 Letter

cc: The Honorable Diane Feinstein  
The Honorable Barbara Boxer  
San Bernardino County Congressional Delegation  
Linda Chang, Wireless Telecommunications Bureau, FCC  
Blaze Sciuto, Deputy Division Chief, Policy Division, FCC  
D'Wana Perry, Private Wireless & Public Safety Division, FCC

AUG. 5. 2002 2:17PM

SENATOR DIANNE FEINSTEIN

JUL 10 02 15 NO. 849 P. 12



San Bernardino Associated Governments

San Bernardino County Transportation Commission  
San Bernardino County Transportation Authority  
San Bernardino County Congestion Management Agency  
Service Authority for Freeway Emergencies

472 North Arrowhead Avenue, San Bernardino, California 92401-1421  
(909) 884-8276 FAX: (909) 885-4407

July 3, 2002

William F. Caton, Acting Secretary  
Federal Communications Commission  
Office of the Secretary  
445 - 12<sup>th</sup> Street, SW  
Washington, DC 20554

Dear Mr. Caton:

This letter is in response to recent revelations that AT&T Wireless is lobbying the Federal Communications Commission (FCC) to obtain relief from Part 22 of the FCC rules requiring cellular radiotelephone service providers to provide analog cellular service. The San Bernardino County Service Authority for Freeways and Expressways (SAFE) respectfully requests that the FCC not grant relief to AT&T Wireless and/or other cellular radiotelephone service providers from the aforementioned requirement.

The San Bernardino SAFE is a local governmental authority responsible for providing motorist aid services within San Bernardino County, California. San Bernardino SAFE currently operates a system of over 1,683 call boxes installed on over 1,650 miles of freeways and state highways in San Bernardino County. All of the call boxes use analog cellular service, provided by AT&T Wireless, to provide a means of communication between stranded motorists in a hazardous situations and a call answering dispatching center. The call box system was initially installed in San Bernardino County in the early 1990's and the system was designed and continues to utilize analog cellular service. The system provides a lifeline that is used by over 60,000 motorists annually to report incidents and request assistance. As a local agency with limited financial capacity and resources, San Bernardino SAFE has to diligently manage its public funds. Any relief provided by the FCC regarding the continued provision of analog cellular service will have a direct and immediate negative impact on the ability of San Bernardino SAFE to reliably operate the call box system and thereby endanger the motorists of San Bernardino County.

San Bernardino SAFE estimates that the cost to modify the call box system to operate using digital technology to be upwards of \$2.6 million. This cost is two times the amount of revenue that the San Bernardino SAFE receives in one year, and is two times the amount that it takes to maintain the system during one year. Given the amount of miles that call boxes cover our county roads, and the low amount of revenue that the program generates each year, the cost to convert these services is tremendous and would impact our ability to provide these services.

San Bernardino county covers 20,160 square miles and is the largest county in the nation. Approximately 90% of the county has a desert-like terrain, and is in rural areas. However, the corridors of highways that motorists use to travel in and out of the county also travel in desert/desolate areas and the call boxes are at times the only assistance available to motorist should there be an emergency. Call boxes are a life-line for motorists traveling through the rural/desert portions of our county. Therefore, we have concerns about this issue and that should AT&T be allowed to no longer provide analog cellular service in this county, that the call box network would be suspended and no longer offered to motorists.

Cities of: Adelanto, Barstow, Big Bear Lake, Chino, China Hills, Colton, Fontana, Grand Terrace, Hemet, Highland, Loma Linda, Montclair, Needles, Ontario, Rancho Cucamonga, Redlands, Rialto, San Bernardino, Twentynine Palms, Upland, Victorville, Yucaipa  
Towns of: Apple Valley, Yucca Valley County of San Bernardino

AUG. 5. 2002 2:17PM

SENATOR DIANNE FEINSTEIN

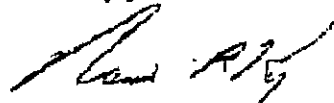
JUL 10 02 10:55 NO. 849 P. 13

William F. Caton, Acting Secretary  
July 3, 2002  
Page 3

While San Bernardino SAFE is not opposed to the desires of AT&T Wireless and the cellular industry to migrate from an analog to a digital based cellular system; San Bernardino SAFE does oppose any rulings or relief that would benefit AT&T Wireless and/or other cellular radiotelephone service providers and would result in negative financial, safety and service impacts to the public. Therefore, San Bernardino SAFE proposes that, at a minimum the FCC mandate that AT&T Wireless enter into a partnership with the San Bernardino SAFEs to mitigate any and all financial, technological and other barriers that San Bernardino SAFE is faced with and develop a transition plan that will be beneficial to all parties. As a final point of information, the San Bernardino SAFE is the 3<sup>rd</sup> largest single county call box authority in the State of California and there are an additional 16 authorities in California alone, which operate over 10,000 additional call boxes that would be adversely affected if the cellular radiotelephone service providers were to be granted relief from Part 22 of the FCC rules.

I thank you for the opportunity to inform the FCC of our concerns. Please contact Michelle Kirkhoff of SAFE staff at (909) 884-8276 for further information about the impact that this would have on our program.

Sincerely yours,



Norman R. King  
Executive Director  
San Bernardino County  
Service Authority for Freeway Emergencies

cc: The Honorable Diane Feinstein  
The Honorable Barbara Boxer  
San Bernardino County Congressional Delegation

# San Diego Service Authority For Freeway Emergencies

**Managed by:**

TeleTran Tek Services  
9167 Chesapeake Drive, Suite D  
San Diego, California 92123  
(619) 279-1299  
(619) 279-8424 FAX

**Board of Directors**

Ann Kulchin, Chair  
Hal Ryan, Vice Chair  
Toni Atkins  
Denna Frye  
Bill Horn

Roz Roberts  
Diane Rose

**Executive Director**

Edward S. Castoria, M.A., J.D.  
TeleTran Tek Services  
Email: eddie@tcubed.net

**Web Page**

[www.sdcalibox.org](http://www.sdcalibox.org)

**Member Agencies**

County of San Diego  
Carlsbad  
Chula Vista  
Coronado  
Del Mar  
El Cajon  
Encinitas  
Escondido  
Imperial Beach  
La Mesa  
Lemon Grove  
National City  
Oceanside  
Poway  
San Diego  
San Marcos  
Santee  
Solana Beach  
Vista

July 17, 2002

Ms. Magalle Roman Salas, Secretary  
Federal Communication Commission  
Office of the Secretary  
TW-B204  
445 12<sup>th</sup> Street SW  
Washington, D.C. 20554

Re: Docket No. 01-108

Dear Ms. Roman Salas:

I serve as the Chair for the Board of Directors of the San Diego Service Authority for Freeway Emergencies (SAFE). We are a local government entity created under California Streets and Highways Code §2550 et seq., and are charged with responsibility to install, operate and maintain motorist aid call boxes along our county's freeways, conventional state routes and selected county roads.

There are 22 separate countywide/region-wide SAFE programs throughout California. Combined they operate over 17,000 call boxes, which are solar-powered cellular telephones that use analog cellular service for communication. The San Diego call box system has been in operation since the late 1980's, and has 1,760 call boxes in place. Nearly two million call box callers have received motorist aid services since that time in our county alone. Using our free call box services, motorist can report accidents, fires and crimes, and receive assistance when their vehicles break down or run out of gas. Call boxes get help there faster, and in the process reduce incident-related congestion and its attendant air pollution.

We have become aware that AT&T Wireless, which provides analog cellular service to the majority of California SAFEs, has endorsed in the above-referenced Docket that the FCC eliminate the current requirement to maintain analog service. The statewide cost to have our analog transceivers replaced with digital transceivers could easily exceed \$17,000,000, with no improvement in the coverage or quality of the voice


communications that are the basis for our motorist aid services. For some of the medium-sized and smaller SAFE programs, that cost would be particularly burdensome, and could result in the need to remove some call boxes as a cost-cutting measure.

We have a related concern that we believe deserves consideration by the FCC in this matter. SAFE programs, along with other public service agencies that rely on analog cellular, not only need analog service available, but also need its level of service to be sufficient to handle expected analog traffic to avoid lost calls. Requiring cellular service providers to maintain *some* analog service, without the further requirement to maintain adequate service for its public service customers, would accomplish little.

In the same vein as the Los Angeles SAFE indicated in its April 17, 2002 letter to then Acting Secretary William F. Caton, the San Diego SAFE understands the financial motives that lead AT&T Wireless and other cellular service providers to wish to emphasize digital cellular service. We have no quarrel with those motives; rather, we ask only that the transition from analog to digital cellular availability be more carefully programmed to allow public service agencies like the San Diego SAFE to continue providing cost-effective service to the public. In that regard, we remain ready and willing to work with AT&T Wireless and other cellular service providers to develop cooperative plans to mitigate the otherwise unnecessary cost of that transition. The cellular industry has done so by providing digital phones at little or no cost to its current analog customers. We see no reason why a similar creative solution could not be arranged with the SAFEs, and ask the FCC to encourage them through its decision on this Docket Item to do so.

I would therefore request that the FCC consider the information provided herein in reaching its decision on Docket No. 01-108. Should your staff have any questions on this matter, please feel free to contact our Executive Director, Edward S. Castoria, at 858-279-1299.

Very truly yours,

  
ANN KULCHIN  
SAFE Chair  
Councilmember, City of Carlsbad

cc: The Honorable Diane Feinstein  
The Honorable Barbara Boxer  
San Diego County Congressional Delegation  
Roger Noel, Deputy Divn. Chief, Wireless Telecom. Bureau, FCC  
Linda Chang, Wireless Telecom. Bureau, FCC  
Adnan Basrai, Wireless Telecom. Bureau, FCC  
Blaze Scinto, Deputy Division Chief, Policy Division, FCC  
D'Wana Perry, Private Wireless & Public Safety Division, FCC

AUG. 5. 2002 2:18PM

SENATOR DIANNE FEINSTEIN

JUL 24 02 11 NO. 849 P. 16



**VENTURA COUNTY  
TRANSPORTATION COMMISSION**

950 County Square Drive, Suite 207  
Ventura, CA 93003

(805) 642-1591  
FAX (805) 642-4860  
<http://www.goventura.org>

July 12, 2002

Ms. Magalie Roman Salas, Secretary  
Federal Communications Commission  
Office of the Secretary  
445 - 12<sup>th</sup> Street, SW  
Room TW-B204  
Washington, DC 20554

RE: Docket #01-108

Dear Ms. Salas:

We are transmitting a letter expressing our opposition to the proposed rulemaking regarding relief of analog cellular service. We were unaware that the official public comment period regarding this issue had lapsed. We are therefore resending the letter to you as an ex parte document. We graciously request that the information contained in the attached letter be considered by the FCC at the time that a decision is being rendered.

This letter is in response to recent revelations that AT&T Wireless is lobbying the FCC to obtain relief from Part 22 of the FCC rules requiring cellular radiotelephone service providers to provide analog cellular service. The Ventura County Service Authority for Freeway Emergencies (VCTC SAFE) respectfully requests that the FCC not grant relief to AT&T Wireless and/or other cellular radiotelephone service providers from the aforementioned requirement.

VCTC SAFE is a local governmental authority responsible for providing motorist aid services within Ventura County, California. VCTC SAFE currently operates a system of over 550 call boxes installed along all freeways and state highways throughout Ventura County. The call boxes all use analog cellular service, provided by AT&T Wireless, to provide a means of communication between stranded motorists, in a hazardous situation, and a dispatcher. The call box system, which is analog, was initially installed in Ventura County in 1990 and upgraded in 1996 to provide full TTY capabilities at the call box. The VCTC SAFE just purchased new upgraded TTY equipment to be installed in the call boxes over the next several months. The system provides a lifeline that is used by over 11,000 motorists annually to report incidents and request assistance. As a local agency with limited financial capacity and resources, VCTC SAFE has to diligently manage its public funds. Any relief provided by the FCC regarding the continued provision of analog cellular service will have a

AUG. 5. 2002 2:19PM

SENATOR DIANNE FEINSTEIN

JUL 24 02 11 NO. 849 P.O.P. 17

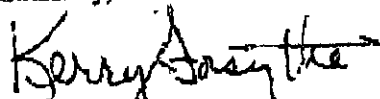
direct and immediate negative impact on the ability of VCTC SAFE to reliably operate the call box system and thereby endanger the motorists of Ventura Angeles County.

VCTC SAFE estimates that the cost to modify the call box system to operate using digital technology to be in excess of \$850 thousand. This cost is approximately equivalent to the annual revenue VCTC SAFE projects to receive this fiscal year. In addition, VCTC SAFE is concerned with the impact of digital technology on the TTY capabilities of the call box. VCTC SAFE is keenly aware of the requirement of Title II of the Americans with Disabilities Act to provide equivalent service and has invested a sizable amount of funds to ensure compliance with Title II. VCTC SAFE is concerned about the current compatibility of digital wireless systems with TTYs, a concern also voiced by the FCC. VCTC SAFE would be required to ensure that any transition of the call boxes from an analog to a digital based system remain compliant with Title II and, at this time, VCTC SAFE is unaware of the ability or the costs to upgrade the TTY capabilities of the call box to reliably operate on a digital system.

While VCTC SAFE is not opposed to the desires of AT&T Wireless and the cellular industry to migrate from an analog to a digital based cellular system; VCTC SAFE does oppose any rulings or relief that would benefit AT&T Wireless and/or other cellular radiotelephone service providers and would result in negative financial, safety and service impacts to the public. Therefore, VCTC SAFE proposes that, at a minimum the FCC mandate that AT&T Wireless enter into a partnership with VCTC SAFE to mitigate any financial, technological and other barriers that VCTC SAFE is faced with and develop a transition plan that will be beneficial to all parties. As a final point of information, there are an additional 16 authorities in California alone, which operate over 14,000 additional call boxes that would be adversely affected if the cellular radiotelephone service providers were to be granted relief from Part 22 of the FCC rules.

I thank you for the opportunity to inform the FCC of our concerns. Please contact feel free to call me at (805) 642-1591 should you have any questions.

Sincerely,



Kerry Forsythe  
Deputy Director  
Ventura County Transportation Commission/  
Service Authority for Freeway Emergencies

**IMPERIAL COUNTY  
SERVICE AUTHORITY FOR  
FREEWAY EMERGENCIES****155 S. 11<sup>th</sup> Street****El Centro, CA 92243****Phone (760) 482-4462****Fax: (760) 352-1272**

July 18, 2002

Honorable Magalie Roman Salas, Secretary  
Federal Communications Commission  
445 12<sup>th</sup> Street, SW  
Room TW-B204  
Washington, DC 20554

RE: Docket #01-108

Dear Secretary Salas:

Imperial County Service Authority for Freeway Emergencies' (SAFE) is opposed to the proposed rulemaking regarding relief of analog cellular service. We were unaware that the official public comment period regarding this issue had lapsed. We are therefore transmitting the letter to you as an ex parte document.

Imperial County SAFE is a local governmental authority responsible for providing motorist aid services within Imperial County California. Although our system is small (120 callboxes), it traverses Imperial County from the Arizona border on the east to San Diego County on the west across the desert. These call boxes use analog cellular service provided by Cellular One to provide a means of communication between stranded motorists, in a hazardous situation, and a dispatcher. The system provides a lifeline to over 3,000 motorists annually. As we are a small SAFE with limited finances, the costs to modify the call box system to operate using digital technology would be beyond our financial capability.

Thank you for the opportunity to inform the FCC of our concerns. Please contact myself at 760-482-4462 for further information.

Sincerely



TIMOTHY B. JONES  
Executive Director  
Imperial County SAFE

Cc: The Honorable Diane Feinstein  
The Honorable Barbara Boxer  
Imperial County Board of Supervisors

SAFE/FCC

July 19, 2002

Ms. Magalle Roman Salas, Secretary  
Federal Communications Commission  
Office of the Secretary  
445 12<sup>th</sup> Street, SW  
Room TW-B204  
Washington, DC 20554

RE: Docket #01-108

Dear Ms. Roman Salas:

Upon hearing concerns from other California public agencies, we are transmitting a letter to the Acting Secretary, expressing our views on the proposed rulemaking regarding relief of analog cellular service. As advised by the Los Angeles County Service Authority for Freeway Emergencies, we are sending the letter to you as an ex parte document.

We respectfully request that the information contained in the attached letter be considered by the FCC at the time that a decision is being rendered.

If you have any questions, please contact me at (805) 961-8908.

Sincerely,

Jim Kemp  
Deputy Director, Programs  
Santa Barbara County  
Service Authority for Freeway Emergencies

cc: The Honorable Diane Feinstein  
The Honorable Barbara Boxer  
Santa Barbara County Congressional Delegation  
Linda Chang, Wireless Telecommunications Bureau, FCC  
Blaze Schinto, Deputy Division Chief, Policy Division, FCC  
D'Wana Perry, Private Wireless & Public Safety Division, FCC

July 19, 2002

William F. Caton, Acting Secretary  
Federal Communications Commission  
Office of the Secretary  
445 - 12<sup>th</sup> Street, SW  
Washington, DC 20554

Dear Mr. Caton:

This letter provides comments regarding proposed modifications to Part 22 of the FCC rules requiring cellular radiotelephone service providers to provide analog cellular service. If the FCC elects to relieve cellular service providers of the requirement to provide analog service, the Santa Barbara County Service Authority for Freeway Emergencies respectfully recommends that a phase-in period for the digital cellular service conversion be provided. It may take several years for public agencies operating highway call boxes to replace existing analog radiotelephones with digital equipment. The FCC must consider the substantial costs and time that will be required to convert highway call box systems to digital technology.

Santa Barbara County SAFE is a local governmental authority responsible for providing motorist aid services within Santa Barbara County, California. The SAFE agency operates and maintains approximately 340 emergency call boxes installed along all freeways and state highways in Santa Barbara County. Most of the call boxes use analog cellular service, provided by AT&T Wireless, to provide a means of communication between motorists and a California Highway Patrol dispatcher. The Santa Barbara County SAFE is in the process of implementing a capital replacement plan that will include an upgrade to digital cellular service, along with several improvements to provide better access for the hearing impaired and physically disabled. The construction contract is tentatively scheduled for award sometime between July 1, 2003 and June 30, 2004.

The Santa Barbara County SAFE recognizes that several other public agencies may be negatively impacted if the transition to digital cellular service is forced upon the call box program without a significant transition period. If an agency were financially or otherwise incapable of changing their entire system, the stranded roadside users of the call boxes would be left without the service. Therefore, Santa Barbara County SAFE proposes that the FCC, should they grant relief to the cellular radiotelephone service providers, mandate that cellular carriers enter into agreement with the various SAFE agencies to reasonably assist the transition process as the systems are upgraded.

AUG. 5. 2002 2:20PM

SENATOR DIANNE FEINSTEIN

NO. 849 P. 21

I thank you for the opportunity to inform the FCC of our concerns. Please contact me at (805) 961-8908 or Heather Diez at (805) 961-8912 for further information.

Sincerely yours,

Jim Kemp

Deputy Director, Programs

Santa Barbara County Service Authority for Freeway Emergencies

cc: The Honorable Diane Feinstein  
The Honorable Barbara Boxer

AUG. 5. 2002 2:20PM — SENATOR DIANNE FEINSTEIN

NO. 850 P. 1/10

News from . . .

# Senator Dianne Feinstein

of California

## FAX COVER SHEET

Senator Dianne Feinstein  
11111 Santa Monica Blvd., Suite 915  
Los Angeles, California 90025  
(310) 914-7300

Date: 8/5

To: Roger Noel, Underhang, Adnan Basrai, Blaze  
Dwana Perry, Santo

From: Kirsten Garey

# of Pages (including cover sheet): 10 Part II of II

Please see Part I

AUG. 5. 2002 2:20PM

SENATOR DIANNE FEINSTEIN

NO. 850 P. 2/10

## GLENN COUNTY TRANSPORTATION COMMISSION

Forrest Sprague, Board of Supervisors, Chairman  
Mike Yalom, City of Orland, Vice-Chairman  
Gary Freeman, Board of Supervisors  
Keith Hansen, Board of Supervisors  
Michael Murray, City of Willows  
Theresa Taylor-Vedden, City of Willows

P.O. Box 1070  
777 North Calusa Street  
Willows, California 95968

Douglas Holvik,  
Executive Director

(530) 934-6530  
FAX (530) 934-6531

July 17, 2002

Honorable Magalie Roman Salas, Secretary  
Federal Communications Commission  
445 12th Street, SW, Room TW-B204  
Washington, DC 20554

Dear Secretary Salas:

RE: Docket #01-108

Please consider this letter an ex parte document. This letter is in response to lobbying of the FCC by AT&T Wireless to obtain relief from Part 22 of the FCC rules requiring cellular radiotelephone service providers to provide analog cellular service. Glenn County Transportation Commission respectfully requests that the FCC not grant relief to AT&T Wireless and/or other cellular radiotelephone service providers from the aforementioned requirement.

The Glenn County Transportation Commission has recently established the Service Authority for Freeway Emergencies within the County. The call box system took several years to implement due to the low number of registered vehicles in the County. The annual revenue is approximately \$20,000. The system is operated by Capital Valley SAFE. There are currently 14 call boxes in Glenn County with 10 boxes located on Interstate 5. These boxes are the northernmost on Interstate 5. The system provides a lifeline for motorists to report incidents and request assistance because cellular service is not reliable in this area. As a local agency with limited financial capacity and resources, the Glenn County Transportation Commission has to diligently manage its public funds. Any relief provided by the FCC regarding the continued provision of analog cellular service will have a direct and immediate negative impact on the ability of Glenn County to maintain a reliable call box system and thereby endanger the motorists of California.

The estimates to modify the call box system to operate using digital technology is approximately \$800 per call box or approximately \$12,000, almost the entire revenue for one year. In addition, there is concern about the impact of digital technology on the TTY capabilities of the call box. The Commission is concerned about the current compatibility of digital wireless systems with TTYs, a concern also voiced by the FCC. The cost for this conversion is unknown.

The Glenn County Transportation Commission is not opposed to the desires of AT&T Wireless and the cellular industry to change from an analog to a digital based cellular system; it does oppose any rulings or relief that would benefit AT&T Wireless and/or other cellular radiotelephone service providers and would result in negative financial, safety and service impacts to the public. The Glenn County Transportation Commission would propose the FCC mandate that AT&T Wireless enter into a partnership with the SAFE Call Box Authorities in California to mitigate any financial, technological and other barriers the SAFE System would be faced with and develop a transition plan that will be beneficial to all parties.

We graciously request that this letter be considered by the FCC at the time that a decision is being rendered.

Sincerely yours,

  
Douglas Holvik  
Executive Director

cc: The Honorable Diane Feinstein  
The Honorable Barbara Boxer  
The Honorable Doug Ose

---

A Regional Transportation Planning Agency Serving the County of Glenn and the Cities of Willows and Orland

**SCCRTC****SANTA CRUZ COUNTY REGIONAL TRANSPORTATION COMMISSION**

1523 PACIFIC AVENUE, SANTA CRUZ, CALIFORNIA 95060-3911 • 831/460-3200 • FAX 831/460-3215

July 18, 2002

SERVICE AUTHORITY  
FOR FREEWAY  
EMERGENCIES  
(SAFE)

Ms. Magalle Roman Salas, Secretary  
Federal Communications Commission  
Office of the Secretary  
445 - 12<sup>th</sup> Street, SW  
Washington, DC 20554

RAIL/RAIL  
AUTHORITY

RE: Docket #01-108

Dear Ms. Salas:

COMMUTE  
SOLUTIONS

The Santa Cruz County Regional Transportation Commission (SCCRTC) recently learned that AT&T Wireless is lobbying the FCC to obtain relief from Part 22 of the FCC rules requiring cellular radiotelephone service providers to provide analog cellular service. Because the official comment period for this item has ended, this letter is being sent as an *ex parte* document and we request that it be considered by the FCC before rendering its decision. The SCCRTC Service Authority for Freeway Emergencies (SAFE) urges the FCC not to grant relief to AT&T Wireless and/or other cellular radiotelephone service providers from the aforementioned requirement.

TRANSPORTATION  
POLICY WORKSHOPBUDGET &  
ADMINISTRATION  
PERSONNEL  
COMMITTEEINTERAGENCY  
TECHNICAL  
ADVISORY  
COMMITTEE

SCCRTC SAFE is a local governmental authority responsible for providing motorist aid services within Santa Cruz County, California. SCCRTC SAFE currently operates a system of 124 call boxes installed along all state highways in Santa Cruz County. The call boxes use analog cellular service to provide a means of communication between stranded motorists, in a hazardous situation, and the California Highway Patrol (CHP). The call box system was initially installed in Santa Cruz County in 1989 and was upgraded in 1999 to protect against potential year 2000 problems. The system is a lifeline that is used by over 4,000 motorists annually to report incidents and request assistance.

BICYCLE COMMITTEE

ELDERLY & DISABLED  
TRANSPORTATION  
ADVISORY COMMITTEE

Digital technology for call boxes has become available only recently. At this time the cost to convert call boxes to digital technology is very significant. The technology has not been widely deployed so its reliability is still untested. Any relief provided by the FCC regarding the continued provision of analog cellular service will have a direct and immediate negative impact on the ability of SCCRTC SAFE to reliably operate the call box system and could endanger the motorists of Santa Cruz County.

California SAFE programs are well aware of the requirement of Title II of the Americans with Disabilities Act to provide equivalent service. SAFEs have been deploying and studying various call box enhancements including TTYs to meet the ADA requirements. At this time it is uncertain whether digital wireless technology is compatible with the call box ADA enhancements, especially TTYs.

WWW.SCCRTC.ORG  
EMAIL: INFO@SCCRTC.ORGMEMBER AGENCIES: SANTA CRUZ METROPOLITAN TRANSIT DISTRICT, COUNTY OF SANTA CRUZ, CALTRANS  
CITIES OF GILROY, SANTA CRUZ, SCOTTS VALLEY, WATSONVILLE

While SCCRTC SAFE only has 124 call boxes in Santa Cruz County, there are about 15,000 call boxes throughout the state of California operated by 17 separate local authorities. Nearly 100% of those call boxes use analog cellular technology. Granting relief from Part 22 of the FCC rules to the cellular radiotelephone service providers would not only have an adverse impact on Santa Cruz County motorists but on motorists throughout the entire state.

Thank you for the opportunity to inform the FCC of these concerns. If you have any questions or comments, please contact me at (831) 460-3213 or Luis Mendez at (831) 460-3212.

Sincerely yours,



Linda Wilshusen  
Executive Director

cc: The Honorable Diane Feinstein  
The Honorable Barbara Boxer  
Roger Noel, Deputy Division Chief, Wireless Telecommunications Bureau, FCC  
Adnan Basrai, Wireless Telecommunications Bureau, FCC  
Linda Chang, Wireless Telecommunications Bureau, FCC  
Blaze Scinto, Deputy Division Chief, Policy Division, FCC  
D'Wana Perry, Private Wireless & Public Safety Division, FCC

# TAMC

TRANSPORTATION AGENCY  
FOR MONTEREY COUNTY



Regional Transportation Planning Agency • Congestion Management Planning  
Local Transportation Commission • Monterey County Service Authority for Freeways & Expressways

June 28, 2002

Ms. Magalle Roman Salas, Secretary  
Federal Communications Commission  
Office of the Secretary  
445 12<sup>th</sup> Street, SW.  
Room TW-B204  
Washington, DC 20554

RE: Docket #01-108

Dear Ms. Roman Salas:

This letter is in response to recent revelations that the FCC is considering giving cellular providers relief from Part 22 of the FCC rules requiring cellular radiotelephone service providers to provide analog cellular service. The Monterey County Service Authority for Freeways and Expressways (MCSAFE) respectfully requests that the FCC not grant relief cellular radiotelephone service providers from the aforementioned requirement. We understand that the public comment period may have already passed; therefore, we are submitting this letter as an ex parte document.

MCSAFE is a local governmental agency responsible for providing motorist aid services within Monterey County, California. MCSAFE currently operates a system of 174 call boxes installed along the most heavily traveled freeways and state highways in Monterey County. The call boxes all use analog cellular service, provided by Verizon Wireless, to provide a means of communication between stranded motorists, in a hazardous situation, and a dispatcher. The call box system was installed over the past two years and includes 60 analog TTY call boxes for the hearing and speech impaired. The system provides invaluable assistance to thousands of stranded motorists every year. As a local agency with limited financial capacity and resources, MCSAFE must manage its public funds diligently. Any relief provided by the FCC regarding the continued provision of analog cellular service will have a direct and immediate negative impact on the ability of MCSAFE to reliably operate the call box system and thereby endanger the motorists of Monterey County.

MCSAFE estimates that the cost to modify the call box system to operate using digital technology to be in excess of \$300,000. This cost is approximately equivalent to the annual revenue MCSAFE projects to receive this fiscal year. In addition, MCSAFE is concerned with the impact of digital technology on the TTY capabilities of the call box. MCSAFE is keenly aware of the requirement of Title II of the Americans with Disabilities Act to provide equivalent service and has invested a sizable amount of funds to ensure compliance with Title II. MCSAFE is concerned about the current compatibility of digital wireless systems with TTYs, a concern also voiced by the FCC. MCSAFE would be required to ensure that any transition of the call boxes from an analog to a digital based system remain compliant with Title II and, at this time, MCSAFE is unaware of the

AUG. 5. 2002 2:22PM

SENATOR DIANNE FEINSTEIN

Letter to Federal Communications Commission

Page 2

NO. 850 P. 6/10

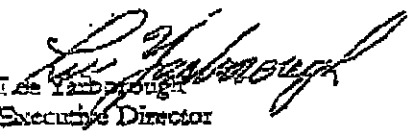
Jan 28, 2002

ability or the costs to upgrade the TTY capabilities of the call box to reliably operate on a digital system.

While MCSAFE is not opposed to the desires of the cellular industry to migrate from an analog to a digital based cellular system; MCSAFE does oppose any rulings or relief that would benefit cellular radiotelephone service providers while resulting in negative financial, safety and service impacts to the public.

I respectfully request this letter be considered when the decision is made and appreciate your time in reviewing our concerns. If you have any questions, please contact Kenneth Kuo of my staff at (831) 775-4407.

Sincerely,

  
Eric J. Harbough  
Executive Director  
Monterey County  
Service Authority for Freeways and Expressways

cc: The Honorable Diane Feinstein  
The Honorable Barbara Boxer  
Linda Chang, Wireless Telecommunications Bureau, FCC  
Blaine Schiro, Deputy Division Chief, Policy Division, FCC  
D'Wayne Terry, Private Wireless & Public Safety Division, FCC

AUG. 5. 2002 2:22PM

SENATOR DIANNE FEINSTEIN

AUG 14 2002 11:00 AM NO. 850 P. 7/10



Los Angeles County

Service Authority for Freeway Emergencies

July 2, 2002

Honorable Magalle Roman Salas, Secretary  
Federal Communications Commission  
445 12<sup>th</sup> Street, SW  
Room TW-B204  
Washington, DC 20554

RE: Docket #01-108

Dear Secretary Salas:

In April of this year, I transmitted a letter to Acting Secretary William F. Caton, expressing the Los Angeles County Service Authority for Freeway Emergencies' (SAFE) opposition to the proposed rulemaking regarding relief of analog cellular service. We were unaware that the official public comment period regarding this issue had lapsed. We are therefore transmitting the letter to you as an ex parte document.

We graciously request that the information contained in the attached letter be considered by the FCC at the time a decision is being rendered.

If you have any questions, please contact Byron Lee, Director L.A. SAFE, at (213) 922-4407.

Sincerely,

Roger Snoble  
Executive Officer  
Los Angeles County Service Authority for Freeway Emergencies

Attachment - April 17, 2002 letter

cc: The Honorable Diane Feinstein  
The Honorable Barbara Boxer  
Los Angeles County Congressional Delegation  
Linda Chang, Wireless Telecommunications Bureau, FCC  
Blaze Scinto, Deputy Division Chief, Policy Division, FCC  
D'Wana Perry, Private Wireless & Public Safety Division, FCC

One Gateway Plaza, Los Angeles, California 90012-2932  
(213) 922-2954 • (213) 922-2955 Fax



**Los Angeles County Service Authority for Freeway Emergencies**  
**Kenneth Hahn Call Box System**

One Gateway Plaza Los Angeles, California 90012-2952  
TEL (213) 922-5652 FAX (213) 922-2955

Los Angeles Office

MAY 06 2002

April 17, 2002

William F. Caton, Acting Secretary  
Federal Communications Commission  
Office of the Secretary  
445 - 12<sup>th</sup> Street, SW  
Washington, DC 20554

Action: \_\_\_\_\_

Dear Mr. Caton:

This letter is in response to recent revelations that AT&T Wireless is lobbying the FCC to obtain relief from Part 22 of the FCC rules requiring cellular radiotelephone service providers to provide analog cellular service. The Los Angeles County Service Authority for Freeway Emergencies (LA SAFE) respectfully requests that the FCC not grant relief to AT&T Wireless and/or other cellular radiotelephone service providers from the aforementioned requirement.

LA SAFE is a local governmental authority responsible for providing motorist aid services within Los Angeles County, California. LA SAFE currently operates a system of over 4,400 call boxes installed along all freeways and state highways in Los Angeles County. The call boxes all use analog cellular service, provided by AT&T Wireless, to provide a means of communication between stranded motorists, in a hazardous situation, and a dispatcher. The call box system was initially installed in Los Angeles County in 1962, was upgraded to use analog cellular service in 1991 and again upgraded in 1998 to provide full TTY capabilities at the call box. The system provides a lifeline that is used by over 125,000 motorists annually to report incidents and request assistance. As a local agency with limited financial capacity and resources, LA SAFE has to diligently manage its public funds. Any relief provided by the FCC regarding the continued provision of analog cellular service will have a direct and immediate negative impact on the ability of LA SAFE to reliably operate the call box system and thereby endanger the motorists of Los Angeles County.

LA SAFE estimates that the cost to modify the call box system to operate using digital technology to be in excess of \$7 million. This cost is approximately equivalent to the annual revenue LA SAFE projects to receive this fiscal year. In addition, LA SAFE is concerned with the impact of digital technology on the TTY capabilities of the call box. LA SAFE is keenly aware of the requirement of Title II of the Americans with Disabilities Act to provide equivalent service and has invested a sizable amount of funds to ensure compliance with Title II. LA SAFE is concerned about the current compatibility of digital wireless systems with TTYs, a concern also voiced by the FCC. LA SAFE would be required to ensure that any transition of the call boxes from an analog to a digital based system remain compliant with Title II and, at this time, LA SAFE is unaware of the ability or the costs to upgrade the TTY capabilities of the call box to reliably operate on a digital system.

While LA SAFE is not opposed to the desires of AT&T Wireless and the cellular industry to migrate from an analog to a digital based cellular system; LA SAFE does oppose any rulings or relief that would benefit AT&T Wireless and/or other cellular radiotelephone service providers and would result in negative financial, safety and service impacts to the public. Therefore, LA SAFE proposes that, at a minimum the FCC mandate that AT&T Wireless enter into a partnership with LA SAFE to mitigate any financial, technological and other barriers that LA SAFE is faced with and develop a transition plan that will be beneficial to all parties. As a final point of information, while LA SAFE is the largest known call box authority, there are an additional 16 authorities in California alone, which operate over 10,000 additional call boxes that would be adversely affected if the cellular radiotelephone service providers were to be granted relief from Part 22 of the FCC rules.

I thank you for the opportunity to inform the FCC of our concerns. Please contact Byron Lee at (213) 922-4407 or Ken Coleman at (213) 922-2951 for further information.

Sincerely yours,



Roger Snoble  
Executive Officer  
Los Angeles County  
Service Authority for Freeway Emergencies

cc: The Honorable Diane Feinstein  
The Honorable Barbara Boxer  
Los Angeles County Congressional Delegation

AUG. 5. 2002 2:23PM

SENATOR DIANNE FEINSTEIN

NO. 850 P. 10/10

bcc: John Catoe  
Cynthia Gibson  
Byron Lee  
Kenneth Coleman  
Gary Clark  
Claudette Moody